

## **REMARKS**

Applicants thank the Examiner for the thorough consideration given to this application. Claims 1-20 were pending in the application at the time of the Office action. With the entry of this amendment, claims 1-20 will remain pending. Favorable consideration and allowance of the pending claims is respectfully requested.

Also, should the Examiner conclude that one or more claims (but less than all) are allowable, Applicants respectfully request the Examiner to call the undersigned directly at 314-726-7502 to discuss the possible cancellation/amendment of claims by an Examiner's amendment in a Notice of Allowance.

### **I. 35 U.S.C. § 112, SECOND PARAGRAPH**

Applicants have amended claims 1, 6-12, and 17-20 to change "the radiating element" to "the internal radiating element." Claims 2 and 4 have been amended to change "the impedance" to "the electrical impedance." Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the Section 112 rejection of claims 1, 2, 4, 6-12, and 17-20 in view of the minor, non-narrowing amendments to these claims.

### **II. CLAIM REJECTIONS UNDER 35 U.S.C. § 102**

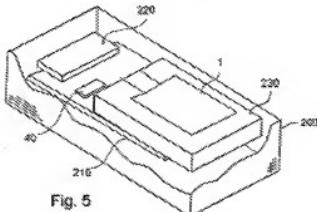
Claims 1-4 and 14 stand rejected under 35 U.S.C. § 102(a) as being anticipated<sup>1</sup> by *Fujii* (JP06314982). These rejections are traversed.

At the outset, Applicant notes that claims 1 and 14 have been amended. More specifically, independent claim 1 has been amended to clarify that "the antenna device is configured to be operable with a same signal being used for controlling both the VCO resonance frequency and an operating frequency band of the antenna device such that the operating frequency band of the antenna device follows an operating frequency band of the receiver circuit." Claim 14 has been amended to clarify that the portable radio communication device comprises a casing and the antenna device of claim 1 is within claim 1.

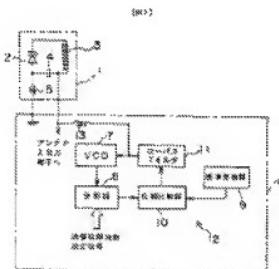
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<sup>1</sup>See MPEP § 2131 states that for a reference to anticipate a claim, "the identical invention must be shown in as complete detail as is contained in the...claim" and that "the elements must be arranged as required by the claim."

The clarifying amendment to the independent claim 1 is supported by Applicants' originally filed application. See, for example, paragraphs [0012] and [0031] of the instant application as published under U.S. Patent Application Publication No. 2008/0287084. The clarify amendment to claim 14 is also supported by Applicants' originally filed application. See, for example, the Abstract and paragraphs [0034] through [0037] and FIG. 5 of the instant application as published under U.S. Patent Application Publication No. 2008/0287084. For the Examiner's convenience, FIG. 5 is reproduced below.



Applicants respectfully submit that *Fujii* does not anticipate amended claim 1 or 14 because *Fujii* does not disclose each and every feature of claims 1 and 14. For example, *Fujii* appears to only disclose an external antenna 1 that is external to the main part 6 of the wireless radio. See, for example, *Fujii* FIG. 1 reproduced below.



For at least the above reasons, *Fujii* does not anticipate claim 1 and 14. Accordingly, Applicants respectfully request reconsideration and withdrawal of the Section 102 rejections of claims 1-4 and 14.

Claims 2-13 and 15-20 ultimately depend from independent claim 1, which Applicants believe to be patentable for the above stated reasons. As such, Applicants believes that dependent claims 2-13 and 15-20 are also patentable at least by virtue of their dependence from independent claim 1.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7502.

Applicants believe that there are no fees due in connection with this filing. If, however, Applicant owes any fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**. In addition, Applicants hereby request the United States Patent & Trademark Office treat any concurrent or future reply requiring a petition for extension of time pursuant to §1.136 for its timely submission as incorporating therein a petition for an extension of time for the appropriate length of time and authorizes the Commissioner to charge all required extension of time fees that have not otherwise been paid to Deposit Account No. **08-0750**.

Respectfully submitted,

/Anthony G. Fussner/

Dated: October 22, 2010

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